

REMARKS

Claims 45-64, 66-73, 76-79, 82-84, and 86 are pending in the present application. The Office Action and cited references have been considered. Favorable reconsideration is respectfully requested.

Claims 45-47, 53, 55-56, 61, 63-64, 66, 72-73, 76-79, 82-84, and 86 were rejected under 35 U.S.C. § 102 (e) as being anticipated by Fatehi (U.S. Patent Number 6,600,583). Claims 48-52, 54, 57-60, 62, and 67-71 were rejected under 35 U.S.C. § 103 as being unpatentable over Fatehi in view of Nir (U.S. Patent No. 6,160,653). This rejection is respectfully traversed.

Applicant has amended each of the independent claims 45, 46, 55, 66, 76, 82, and 86, to clarify that at least one of the optical addressing links is on at least one partially different path from the optical data link. The exact language used to clarify this feature of the invention differs depending on the subject matter of the particular claim. However, in each independent claim, applicant's solution to the problem faced by the prior art, as discussed in the background section of applicant's specification on pages 1-3, uses a different physical path (or link) for the addressing

signals than for the one for the data signals. Support for this amendment can be found in, for example, Fig. 2 of the present application, where the two paths (buses) 202 and 203 are shown, and in the corresponding explanation provided on page 11, line 22 through page 12, line 1.

In contrast, according to the teachings of Fatehi, the addressing and data signals are always conveyed along the same physical path. For example, column 4, lines 1-15 states that

we utilize an "optical message tag" on the carrier wavelength which includes packet destination information associated with a group of packets which are carried on a wavelength. Optical tagging is described in U.S. Pat. No. 5,745,274, ..., which describes the use of a frequency tone as a sub-carrier for carrying message tags, [and] under certain conditions, one could modulate the message tags directly on the envelopes of the data carrying wavelengths without using sub-carrier tone frequencies.

The Office Action equates the teaching of the Fatehi patent to the recitation in the independent claims that the addressing links are at least partially different from the optical data links, to the teaching in the patent that the addressing link is established via sub-carrier frequency and is therefore at least partially different from the optical data link.

Applicant respectfully submits by virtue of the amendment to the independent claims which now clarifies that the physical

paths are different from the addressing links and for the optical data links, the claimed invention is not taught, disclosed or made obvious by the teachings of the Fatehi patents. For at least these reasons, Applicant respectfully submits that the independent claims 45, 46, 55, 66, 76, 82, and 86 are patentable over the prior art of record.

Further, Applicant respectfully submits that the dependent claims, depending from each of the independent claims respectfully, are patentable in and of themselves and as they depend from and include the recitations of the independent claims from which they depend for the reasons discussed above.

In view of the above amendments and remarks, Applicant respectfully requests entry of the proposed Amendment. Applicants submit that upon entry of the proposed amendment, the application will be in condition for allowance. Early notice to this effect is most earnestly solicited.

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If the Examiner has any questions he is invited to contact the undersigned at 202-628-5197.

Respectfully submitted,

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